

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

JOHNNIE L. RODGERS,

Plaintiff,

v.

5:04-CV-1485

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

OLINSKY & DIMARTINO, LLP  
P.O. Box 2068  
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Counsel for Plaintiff

JAYA A. SHURTLIFF, ESQ.

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United States Attorney for the  
Northern District of New York  
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Counsel for Defendant

WILLIAM H. PEASE, ESQ.  
Assistant United States Attorney

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 28<sup>th</sup> day of December 2007. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved. This matter is remanded to the Commissioner, pursuant to sentence four of 42 U.S.C. §405(g) for further proceedings.

2. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: January 17, 2008  
Syracuse, New York

  
Norman A. Mordue  
Chief United States District Court Judge